

REMARKS

Claims 1, 2, 4-12, 15-18, 21-26, and 28-32 are all the claims pending in the application.

Applicant gratefully acknowledges the Examiner's indication that claim 27 would be allowable if rewritten in independent format and has incorporated this allowable feature into independent claim 1 and canceled claim 27.

However, upon further review, Applicant believes that claim 1 is now generic to the two embodiments, thereby, it is submitted, also permitting the previously withdrawn claims to be rejoined based upon incorporating this allowable feature into each independent device claim. Moreover, because MPEP § 821.04 describes that process-of-making claims for an allowable product can also be rejoined, Applicant submits that all previously-withdrawn claims are also in a condition for allowance.

Claims 1, 4, 5, and 24-25 stand rejected under the prior art evaluation of the Office Action dated October 23, 2006. The Examiner considers that claims 2, 6-12, 15-18, 21-23, and 26 are withdrawn from consideration as being drawn to a non-elected invention or species and there is currently no allowable generic or linking claim. However, Applicant believes that claim 1 is generic to both of the two embodiments, respectively shown in Figure 3 and Figure 6, and that incorporation of the allowable feature into independent claim 1 makes this generic claim allowable over the prior art of record.

It is noted that, notwithstanding any claim amendments made herein, Applicant's intent is to encompass equivalents of all claim elements, even if amended herein or later during prosecution.

Claims 1, 4, and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent 5,994,721 to Zhong et al., further in view of US Patent 6,208,399 to Ohta et al. Claims 24 and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhong/Ohta, further in view of US Patent 6,130,736 to Sasaki et al. Claims 27-32 stand as objected-to, based upon the allowable feature defined by claim 27.

Incorporation of this allowable feature into independent claim 1 renders moot these rejections of record, and Applicant requests rejoinder of the claims previously considered as withdrawn.

Serial No. 09/585,472
Docket No. 157330/99 (NEC.173)

FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 1, 2, 4-12, 15-18, 21-26, and 28-32 are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

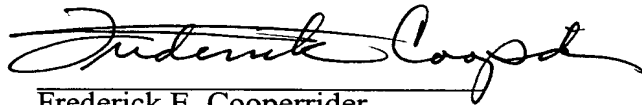
Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date:

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Frederick E. Cooperrider
Reg. No. 36,769

McGinn Intellectual Property Law Group, PLLC
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254